

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

vs.

(1) FRANCISCO ENRIQUEZ
(2) SHANE MCDOUGAL
(3) JASON VILLA
(4) JOSE VILLANUEVA
(5) ALFREDO ESPARZA SR.
(6) ALFREDO ESPARZA JR.
(7) ROBERT NELLE

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NO: SA:17-CR-00814(1,2,3,4,5,6,7)-XR

**ORDER GRANTING CONTINUANCE
AND AMENDING SCHEDULING ORDER**

On this day came on to be considered the Defendant's **Alfredo Esparza, Sr. (5) & Alfredo Esparza, Jr. (6)** Unopposed Motion to Continue Scheduling Order Deadlines. There being no severance granted in this cause of action, the Court finds that the co-defendant(s) **Francisco Enriquez (1), Shane McDougal (2), Jason Villa (3), Jose Villanueva (4), Robert Nelle (7)** shall proceed to trial with movant.

The Court finds that the period between **March 18, 2019** and **June 17, 2019** is a reasonable period of necessary delay when a defendant is joined for trial with a co-defendant and no motion for severance has been granted in order for the defendant to negotiate a plea; and/or prepare for trial. The Court finds that the Ends of Justice served by taking such action outweighs the best interest of the public and the defendant in a speedy trial, and further finds that the above period shall be excluded in computing the time in which said defendant must be brought to trial under the Speedy Trial Act, pursuant to Title 18, United States Code, Section 3161(h)(7)(A).

It is hereby **ORDERED** that Defendant's **Alfredo Esparza, Sr. (5) & Alfredo Esparza, Jr. (6)** Unopposed Motion to Continue (**Doc. # 163, #164**) is **GRANTED**.

It is FURTHER ORDERED that this case will proceed on the following-amended schedule **AS TO ALL DEFENDANTS LISTED ABOVE:**

The deadline for notifying the Court of any **PLEA AGREEMENT** entered into by the parties in this cause is **Friday, May 24, 2019**. No plea agreement entered into after that date will be honored by this Court without good cause shown for the delay.

DOCKET CALL or **REARRAIGNMENT** and **PLEA** are set for **Tuesday, June 04, 2019 at 1:30 P.M.**, in **Courtroom 3** of the John H. Wood, Jr., United States Courthouse, 655 E. Durango Blvd., San Antonio, Texas. Proposed jury instructions, voir dire, and motions in limine shall be filed by **Friday, May 31, 2019**.

JURY SELECTION AND TRIAL are set for **Monday, June 17, 2019 at 9:30 A.M.**, in **Courtroom 3** of the John H. Wood, Jr., United States Courthouse, 655 E. Durango Blvd., San Antonio, Texas.

AS A REMINDER TO THE ATTORNEY FOR DEFENDANT:

If your client is in custody, arrangements should be made with the U.S. Marshal Service prior to the date of jury selection and trial to ensure your client has proper attire. In addition, whenever defendants or witnesses have a need for the services of the **Court Interpreter**, please notify the Courtroom Deputy no later than **five (5) days** before this court setting.

The Clerk of Court shall send a copy of this order to the United States Attorney, attorney for the defendant, United States Marshal, United States Probation Officer, and Pretrial Services Officer. **Counsel for defendant will notify the defendant of this setting**, and if the defendant is on bond, advise the defendant that he or she must be present for all court settings unless excused by the Court. All inquiries pertaining to this Scheduling Order should be directed to Sylvia Ann Fernandez, Courtroom Deputy for Judge Xavier Rodriguez, at (210) 244-5011.

Signed this 21st day of February, 2019.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE